

**TOWN OF ELSMERE  
COUNCIL MEETING MINUTES  
SEPTEMBER 11, 2014  
TOWN HALL  
6:30 p.m.**

**CALL TO ORDER:** Mayor Steven Burg called the meeting to order at 6:30 p.m.

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

MAYOR	STEVEN BURG	PRESENT
1 <sup>ST</sup> DISTRICT	JOHN JAREMCHUK, JR.	PRESENT
2 <sup>ND</sup> DISTRICT	PATRICIA FRANTZ	PRESENT
3 <sup>RD</sup> DISTRICT	ROBERT KACPERSKI	PRESENT
4 <sup>TH</sup> DISTRICT	CHARLES MCKEWEN	PRESENT
5 <sup>TH</sup> DISTRICT	JOANN I. PERSONTI	ABSENT/EXCUSED
6 <sup>TH</sup> DISTRICT	DEBORAH A. NORKAVAGE	PRESENT

Town Solicitor, Edward McNally – Absent  
Town Manager, John Giles – Present  
Chief of Police, Laura Giles – Present

**PUBLIC COMMENT:**

None

**APPROVAL OF MINUTES:**

Minutes of the August 14, 2014 meeting of the Mayor and Council

**ACTION:** A motion was made by Councilwoman Norkavage to approve the minutes of the August 14, 2014 Council Meeting with 1 correction on page 10, under Items Submitted by Mayor and Council, Mayor Burg stated that Marie's last name is Allen not Hagan. The motion was seconded by Mayor Burg.

**VOTE:**            5-0 with 1 Abstained and 1 Absent            Motion carried

1<sup>st</sup> District – Yes, 2<sup>nd</sup> District – Abstained, 3<sup>rd</sup> District – Yes, 4<sup>th</sup> District – Yes,  
5<sup>th</sup> District – Absent, 6<sup>th</sup> District – Yes, Mayor – Yes

Councilwoman Frantz stated that she was abstaining because she was not present for the meeting.

Minutes of the August 21, 2014 Special Council Meeting.

**ACTION:** A motion was made by Councilwoman Norkavage to approve the minutes of the August 21, 2014 Special Council Meeting with no corrections. The motion was seconded by Councilman Jaremchuk

**VOTE:**            6-0 with 1 Absent            Motion carried

Minutes of the August 21, 2014 Executive Session.

**ACTION:** A motion was made by Councilwoman Norkavage to approve the minutes of the August 21, 2014 Executive Session with no corrections. The motion was seconded by Councilman Jaremchuk.

**VOTE:** 6-0 with 1 Absent Motion carried

**OLD BUSINESS:**

Consideration for Third and Final reading as well as Public Hearing of Ordinance 582.

**ACTION:** A motion was made by Councilman Jaremchuk to consider Ordinance 582 for Third and Final Reading. The motion was seconded by Mayor Burg.

**VOTE:** 6-0 with 1 Absent Motion carried

Consideration for Third and Final reading as well as Public Hearing of Ordinance 583.

**ACTION:** A motion was made by Councilman McKewen to consider Ordinance 583 for Third and Final Reading. The motion was seconded by Councilman Jaremchuk.

**VOTE:** 6-0 with 1 Absent Motion carried

Consideration for Third and Final reading as well as Public Hearing of Ordinance 584.

**ACTION:** A motion was made by Councilman Jaremchuk to consider Ordinance 584 for Third and Final Reading. The motion was seconded by Councilman McKewen.

**VOTE:** 6-0 with 1 Absent Motion carried

Councilwoman Norkavage stated her concern for the Town Manager to be extremely cautious in the decision making on this piece of legislation.

**NEW BUSINESS:**

Consideration for First and Second Reading of Ordinance 585.

**ACTION:** A motion was made by Mayor Burg to consider Ordinance 585 for First and Second Reading. The motion was seconded by Councilman McKewen.

**VOTE:** 6-0 with 1 absent Motion carried

## **DEPARTMENTAL REPORTS:**

### Code Enforcement

Town Manager John Giles presented the written report.

### Finance

Town Manager John Giles presented the written report.

Councilwoman Norkavage requested the status on the request of proposals for the financial institutions.

Town Manager John Giles stated that the information on the financial institutions will be sent to Mayor and Council prior to the next Council Meeting packet.

### Public Safety

Chief Laura Giles presented her written report.

Mayor Burg inquired about the vandalism that is continuing to happen in the Public Works yard.

Chief Laura Giles stated that she spoke to AGS the company that installed the cameras at Fenwick Apartment Complex to move one of those to Public Works yard. The quote to move the camera was \$1,500.00. She stated she was going to speak to Town Manager John Giles to see if he was interested in splitting the cost to have it moved and set-up.

Town Manager John Giles stated that Delcollo Electric came out today to give us a quote on what the cost would be to install an alarm and motion sensor at the Public Works Yard.

Councilman Jaremchuk inquired about the body cameras for the protection of the officers.

Chief Laura Giles stated that she would look into the technology and cost of the equipment.

Councilwoman Frantz inquired on the military equipment and if the Police Department had any of this equipment.

Chief Laura Giles stated that the Police Department does not have any of this equipment

Mayor Burg inquired on when the Bicycle Patrolman was done for the summer season.

Chief Laura Giles stated that he will done after the Christmas Parade.

Councilwoman Norkavage inquired about the speed trailer that was to be placed at Beech Ave.

Chief Laura Giles stated that where the speed trailer needed to be placed (at the end of the road), it would not have done anything. She stated that officers have been on this road issuing summons and have made drug arrests.

Mayor Burg stated that with school back in session would it be a good idea to put the speed trailer on New Road.

Chief Laura Giles stated that they will place the speed trailer on New Road.

### Public Works

Town Manager John Giles presented the written report. In addition to the report he made Mayor and Council aware of the following instances.

The Public Works yard incurred a theft over the weekend that involved an estimated loss of \$13,000.00 in video equipment. He stated that the Finance Director Joseph Schulcz has been in contact with the insurance company and the video equipment will be replaced in time for the Movies in the Parks Event on September 19, 2014, showing the movie Disney's Frozen. The estimated cost from the Town is \$2,500.00 - \$3,500.00 to replace the equipment.

Councilwoman Norkavage asked would it be possible to store the video equipment in one of the vacant offices at Town Hall.

Town Manager John Giles stated that the equipment could be stored at Town Hall however, it is very heavy to transport.

Chief Laura Giles suggested that the trailer be parked in the Police Department parking lot where there is surveillance cameras.

Town Manager John Giles stated that he will have Public Works Department move the trailer and store it in the Police Departments parking lot.

Councilman Jaremchuk stated that he would like to get the consensus of the rest of the Council Members regarding the Public Works report and the day to day operations listed on the report.

At this time there was discussion regarding the day to day operations between Mayor, Council and Town Manager regarding what is listed on the report. They decided that going forward unless it's a major project, there is no need to list it on the report.

Town Manager John Giles stated that if there are any questions due to the report not listing specific tasks, such as abatements, he asked that Mayor and Council call to see if there were any in that particular district.

## Town Manager

Town Manager John Giles presented his written report.

Councilman Kacperski inquired about the fence along the Walking Path.

Town Manager John Giles stated that there were two other right of ways given which are New Castle County for sewer lines and the Conservation District along the ditch. He also stated that Senator Blevins has contacted the state officials representing the Twenty-First Century Fund, they are going to fund half the cost of the fence, provided we receive the correct waivers. The County Executive is funding \$24,000.00 and Councilman Reda is funding \$2,500.00 from County Funds. He stated that the Town will have to fund approximately \$2,000.00. He also stated that there will be documents that will need to be signed by Mayor and Council stating that the Town of Elsmere will maintain the path. He stated that he will inform Council of the documents when they are ready to be signed.

Councilwoman Norkavage inquired about the transfer of Vilone Park to the Town and whether or not those issues have been resolved in regards to the Forman's.

Town Manager John Giles stated that we are waiting on the Deed to verify the names and whether or not the two members of the family are deceased with vital statistics. It states on the Deed that while the two members of the family who are Robert and Mildred Forman are still living the park remains as a parkland.

## **ITEMS SUBMITTED BY THE MAYOR AND COUNCIL:**

### **District 1 – None**

**District 2** – Councilwoman Frantz requested a Proclamation for the week of October 5 – 11, 2014 be recognized as Mental Health Awareness Week.

**ACTION:** A motion was made by Councilwoman Frantz to have Mayor and Council of the Town of Elsmere approve the Proclamation for the week of October 5-11, 2014 is Mental Illness Awareness Week, in the Town of Elsmere in order to increase the public's awareness and promote treatment and recovery. The motion was seconded by Councilman Jaremchuk.

**VOTE:** 6-0 with 1 absent

Motion carried

### **District 3 – None**

### **District 4 – None**

### **District 5 – None**

### **District 6 – None**

**Mayor** – Mayor Burg stated that the Needy Family Fund Golf Tournament is scheduled for October 17, 2014. The cost is \$120.00 per player. The location of the Tournament will be at Delcastle Recreation. It will begin at 10:00 a.m. and will be a shotgun start.

**PUBLIC COMMENT:**

Mr. Robert Leisey, 216 Tamarack Ave, stated that he is making payments on his delinquent taxes, he was informed by Town Manager John Giles that at the end of September the property would be listed for sheriff sale. He would like Mayor and Council to approve an extension on making payments and remove the property from the sheriff sale list. He stated that he has made payments on a consistent basis since June when he began employment.

Mayor Burg stated that the Mayor and Council had met in February to set up a payment arrangement with Mr. Leisey and asked if he has made any payments between April and June of 2014.

Mr. Leisey stated he did not make payments because he was unemployed and waiting to find out whether he was approved for Social Security. He stated he is working full-time at Serpe's Bakery, making \$8.00 per hour and making payments to the Town of \$300.00 per week.

Mayor Burg inquired about the total amount that is currently due on the delinquent taxes.

Mr. Leisey stated that the delinquent taxes are paid, but he is currently paying on the legal fees incurred by the delinquent taxes. The amount that is owed to the Town is \$2,430.00 in legal fees and the current taxes that are due on September 30, 2014 of \$748.55.

Mayor Burg inquired on the initial amount that was owed to the Town.

Mr. Leisey stated that the initial amount started at \$2807.79 in property taxes.

Mayor Burg asked if the current taxes are paid, and if Mr. Leisey could be placed on a payment plan.

Town Manager John Giles stated that Mr. Leisey is currently not on a payment plan, because you cannot be placed on a payment plan for delinquent taxes.

Mayor Burg asked if Mr. Leisey can be placed on a payment plan for legal fees.

Town Manager John Giles stated that the Town can set-up the payment plan as long as he is advised by Mayor and Council to do so.

Councilman McKewen asked Mr. Leisey if has made payments on a consistent basis.

Mr. Leisey stated that he has made payments regularly since June.

Councilman Jaremchuk stated that he feels that Mr. Leisey is making regular payments and cannot see the Council allowing the house to go up for sheriff sale.

Councilwoman Norkavage asked the Finance Director Joseph Schulcz what the current amount in legal fees that are owed to the Town.

Finance Director Joseph Schulcz stated the original legal fees were approximately \$3,700.00 - \$3,800.00.

Councilwoman Norkavage stated that she agrees with Councilman Jaremchuk, provided there is an agreement signed with the Town and Mr. Leisey, making sure the payments are consistent.

At this time there was a discussion between Mayor, Council and Town Manager John Giles regarding Mr. Leisey's property.

Town Manager John Giles stated that a document will need to be prepared with the information on what he currently owes in legal fees as well as what the amount is in taxes that are due by September 30, 2014. He scheduled for Mr. Leisey to come on Tuesday, September 16, 2014 to sign a reasonable payment plan agreement that will need to be paid off within six months and no more than one year.

Councilwoman Norkavage stated that if there is default then the property will automatically go to sheriff sale.

**ACTION:** A motion was made by Councilman Jaremchuk to direct the Town Manager to meet with Mr. Leisey to come up with a reasonable payment plan agreement to pay off the property taxes and to remove the property from the sheriff sale at the end of September. The motion was seconded by Mayor Burg.

**VOTE:**                      6-0 with 1 Absent                                      Motion carried

Mr. Joe Hawkins, 341 Sycamore Ave, asked how many delinquent properties there were in the Town of Elsmere.

Financial Director Joseph Schulcz stated that the last time he checked there were 26 properties.

Mr. Edward Zielinski, 1334 Maple Ave, stated he disagrees with the decision earlier in the meeting regarding the Public Works Reports. He feels that there should be a detailed report so the residents can see where there tax money is being spent. Mr. Zielinski stated there should be an itemized list of what is being worked on and completed.

Town Manager John Giles stated that the written report is a report given to Council showing what Public Works has completed on a day to day basis. The expenditures are still reported and what money is being spent where.

